

1 **UNITED STATES DISTRICT COURT FOR**
2 **THE DISTRICT OF MASSACHUSETTS**

3 DR. EMILIO MEYER,

4 Plaintiff, : Civ. Action No. 1:05-CV-10681 NMG

5 - against - :

6 GENERAL ELECTRIC COMPANY, :

7 GE INFRASTRUCTURE, INC., :

8 GE INFRASTRUCTURE SENSING, INC., :

9 GE PANAMETRICS, PANAMETRICS, INC., :

and DOES 1 through 20, :

10 Defendants. :

11 **JOINT STATEMENT OF PROPOSED PRETRIAL PLAN**

14 Plaintiff, Dr. Emilio Meyer, and Defendants, General Electric Company, GE
15 Infrastructure Sensing, Inc. and GE Infrastructure, Inc., by and through their respective counsel,
16 and pursuant to Local Rule 16.1, conferred on this matter on September 20 and 26, 2005.

17 **AGENDA**

18 The parties agree that agenda items for the scheduling conference should include the
19 following:

20 1. The scheduling of a private mediation either in late 2005 or early 2006;
21 2. A discovery schedule to follow this private mediation, if the dispute remains unresolved;
22 3. The scheduling of a Status/Mediation Return Conference during the first quarter of 2006;
23 4. The setting of pre-trial conference and trial dates in late-2006.

24 **DISCOVERY PLAN**

25 1. Initial disclosures as required by Fed. R. Civ. P. 26(a)(1) will be made 14 days after the
26 as yet unscheduled early mediation. The parties agree to concurrently provide a privilege log of
27 any documents withheld from production as part of these mandatory disclosures. The privilege
28 log shall include author, recipients, date, and a general description of each document withheld;

Case 1:05-cv-10681-NMG Document 17 Filed 09/29/2005 Page 2 of 9

- 1 2. Fact discovery is to be completed within 180 days of the early mediation; and
- 2 3. Expert discovery is to be completed within 60 days of the close of fact discovery.

PROPOSED SCHEDULE FOR FILING OF MOTIONS

- 4 1. All dispositive or partially dispositive motions should be filed within 30 days of the date
5 of expert discovery;
- 6 2. The motion schedule for evidentiary hearings shall be scheduled at the Further
7 Status/Mediation Return Conference.

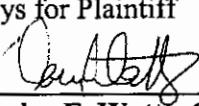
OTHER ITEMS

- 9 1. The parties do not consider this case to be complex;
- 10 2. Plaintiff consents to Jury Trial presided over by a Magistrate Judge. Defendants do not.
- 11 3. As required by Local Rule 16.1(c), Plaintiff Meyer submitted a timely written settlement
12 proposal to Defendants. Defendants have rejected that demand.
- 13 4. The Parties' certifications pursuant to Local Rule 16.1(d)(3) are attached hereto as
14 Exhibits A and B.

15 Date: September 29, 2005

Gilliss Valla & Dalsin, LLP
Attorneys for Plaintiff

17 By:


Douglas E. Watts, Calif. Bar # 182274
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Case 1:05-cv-10681-NMG Document 17 Filed 09/29/2005 Page 3 of 9

1 Date: September 29, 2005

2 Proskauer Rose LLP
3 Attorneys for Defendants

4 By: /s/ Steven M. Bauer

5 **Steven M. Bauer, BBO # 542531**
6 **Kimberly A. Motley, BBO # 651190**
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Case 1:05-cv-10681-NMG Document 17 Filed 09/29/2005 Page 4 of 9

EXHIBIT A

Gilliss Valla & Dalsin, LLP
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 2 **THE DISTRICT OF MASSACHUSETTS**

3 DR. EMILIO MEYER, :
 4 Plaintiff, : Civ. Action No. 1:05-CV-10681 NMG
 5 - against - :
 6 GENERAL ELECTRIC COMPANY, :
 7 GE INFRASTRUCTURE, INC., :
 8 GE INFRASTRUCTURE SENSING, INC., :
 9 GE PANAMETRICS, PANAMETRICS, INC., :
 and DOES 1 through 20, :
 10 Defendants. :

11 ----- x
 12

13 **PLAINTIFF'S LOCAL RULE 16.1(d)(3) CERTIFICATION**

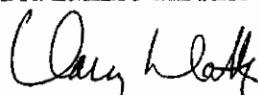
14 THE UNDERSIGNED HEREBY CERTIFY that, pursuant to Local Rule 16.1(d)(3), D:
 15 Emilio Meyer, Plaintiff, and his counsel have conferred:

- 16 (a) with a view to establishing a budget for the costs of conducting the ful:
 course—and various alternative courses—of the litigation; and
- 17 (b) to consider the resolution of the litigation through the use of alternati:
 dispute resolution programs, such as those outlined in Local Rule 16.

21 SEPTEMBER 1, 2005
 22 Date

23 9/29/05
 24 Date


 DR. EMILIO MEYER



Antonio Valla, CA Bar # 136256
 Douglas E. Watts, CA Bar # 182274
 Stephanie L. Southwick, CA Bar # 226631
 (Admitted Pro Hac Vice)
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 28 **PLAINTIFF'S LOCAL RULE 16.1(d)(3) CERTIFICATION**

EXHIBIT B

Case 1:05-cv-10681-NMG Document 17 Filed 09/29/2005 Page 7 of 9

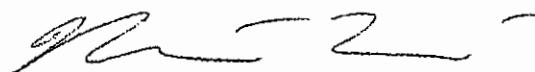
EXHIBIT B

Defendants' Certification Pursuant to Local Rule 16.1(D)(3)

The undersigned counsel and authorized party representative of Defendants General Electric Company, GE Infrastructure, Inc., and GE Infrastructure Sensing, Inc. hereby certify that they have conferred: (a) with a view to establish a budget for the costs of conducting the full course – and various alternative courses – of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.



Steven M. Bauer, BBO #542531
PROSKAUER ROSE LLP
One International Place
Boston, MA 02110
(617) 526-9600



Matthew Baldini, Esq.
General Counsel
GE Infrastructure Sensing
41 Woodford Avenue
Plainville, CT 06062

Dated: September 28, 2005

Dated: September 26, 2005

Case 1:05-cv-10681-NMG Document 17 Filed 09/29/2005 Page 8 of 9

**UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS**

x

| | | |
|------------------------------------|---|------------------------|
| DR. EMILIO MEYER, | : | |
| | : | |
| Plaintiff, | : | Civ. Action No. |
| - against - | : | 1:05-cv-10681-NMG |
| GENERAL ELECTRIC COMPANY, | : | CERTIFICATE OF SERVICE |
| GE INFRASTRUCTURE, INC., | : | |
| GE INFRASTRUCTURE SENSING, INC., | : | |
| GE PANAMETRICS, PANAMETRICS, INC., | : | |
| and DOES 1 through 20, | : | |
| Defendants. | : | |

The undersigned declares that:

I am employed in the County of Contra Costa, State of California. I am over the age of 18 and
not a party to this action. My business address is: 3470 Mt. Diablo Blvd., Suite A-215,
Lafayette, CA 94549.

On September 29, 2005, I served a true and correct copy of the following document:

1. JOINT STATEMENT OF PROPOSED PRETRIAL PLAN

on all parties and counsel listed below:

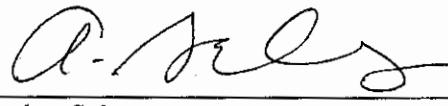
Kimberly Mottley, Esq.
Proskauer Rose, LLP
One International Place, 14th Floor
Boston, MA 02110-2600
E-mail: kmottley@proskauer.com

BY E-MAIL: Upon prior agreement by the parties, I served a copy of the above-mentioned document via E-mail to all parties and counsel listed above.

I declare under penalty of perjury that the foregoing is true and correct.

Case 1:05-cv-10681-NMG Document 17 Filed 09/29/2005 Page 9 of 9

1
2 Dated: September 29, 2005


3 Amber Salazar
4 Gilliss Valla & Dalsin, LLP
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